

**United States District Court**  
Eastern District of Michigan

United States of America

**ORDER OF DETENTION PENDING TRIAL**

v.

Aaron Jamerson a/k/a Aaron Marshall  
Defendant

Case Number: 08-30188

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

**Part I – Findings of Fact**

- ☐ (1) I find that:
- ☐ there is probable cause to believe that the defendant has committed an offense
  - ☐ for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;
  - ☐ under 18 U.S.C. § 924(c).

☐ (2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

**Alternative Findings**

☒ I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.

☒ I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

**Part II – Written Statement of Reasons for Detention**

☒ I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

- ☒ (a) nature of the offense - Felon in Possession of Firearm.
- ☒ (b) weight of the evidence - Evidence is strong.
- ☒ (c) history and characteristics of the defendant -
  - ☒ 1) physical and mental condition - Good general health, despite substance abuse history.
  - ☒ 2) employment, financial, family ties - Poor employment record; no job; no assets; has family ties.
  - ☒ 3) criminal history and record of appearance - Served five years, ten months for drug distribution and remains on supervised release.
- ☒ (d) probation, parole or bond at time of the alleged offense - Supervised Release Violation petition and detention order on file.
- ☒ (e) danger to another person or community - Illegal firearms possession is a tragedy waiting to happen. This person lacks the maturity, integrity and judgment to be trusted with any form of dangerous instrument.

The defendant is charged with being a felon in possession of a firearm. The evidence supporting the charge is strong. He is a prior convicted drug offender who served 5 years, 10 months in federal custody and remains on supervised release status. He was convicted and imprisoned under an alias name. In addition to the federal statute, a specific condition of supervised release prohibited defendant from possessing a firearm. He violated other conditions as well: (a) failed to report change in employment status. His general adjustment to supervision is poor. He misrepresented his job status and address to Pretrial Services. Both Pretrial Services and the Probation Department recommend detention, and Magistrate Judge R. Steven Whalen has entered a detention order in the Supervised Release Violation action. I fully concur with that determination. There is absolutely no justification for this person to possess a firearm. I have no confidence that he would comply with any conditions of release. He lies to authorities when it suits his purpose. I view him as a flight risk and a danger to the community.

### **Part III – Directions Regarding Detention**

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date: July 23, 2008

s/Donald A. Scheer

*Signature of Judge*

Donald A. Scheer, United States Magistrate Judge

*Name and Title of Judge*